

Boundary Line Fence Requirements

Items to include in the agreement between landowners

- Property line/fence location.
- Operation and Maintenance (O&M)—The contract holder (person/entity receiving payment) is ultimately responsible for maintaining the fence per Conservation Program Contract.
 - Inspections
 - Materials
 - Labor
- Agreement should be recorded with the deed—if recorded, it is attached to the land and will remain with it. If not recorded, the signatures should be notarized.
- If an agreement cannot be reached with adjoining landowner/manager regarding both location and O&M, Natural Resources Conservation Service (NRCS) shall not proceed without solid legal assurance of property line and a signed/notarized recognition by the participant indicating they accept sole responsibility for O&M.
 - A determination of the need for solid legal assurance shall be handled on a case-by-case basis by the State Office Programs Staff and will most likely require a legal survey.

On-Site Requirements

- When meeting on-site to determine fence location, both landowner(s)/manager(s) shall be present, even if an agreement is in hand.
- If location is being determined by township/county/highway department, both landowner and the NRCS shall be on-site when the fence location is determined.
 - When the fence location is determined by someone other than the landowner(s)/manager(s), the NRCS will require a notarized, written document providing assurance of landowner(s)/manager(s) approval of location.
 - Landowner(s)/manager(s) shall provide evidence indicating a width of right-of-way which shall also be filed in the folder.